



# Benton County Planning Board

## Public Hearing

### Technical Advisory Committee Meeting

January 18, 2011

## MINUTES

### TECHNICAL ADVISORY COMMITTEE

**Roll Call**—Lane Gurel, Starr Leyva, Ken Knight, Cindy Jones and Jim Cole were present. Staff was represented by Elizabeth Bowen, Chris Ryan, Richard McKeehan and Donna Fallin.

**Disposition of Minutes:** 1/4/2011- Minutes were approved unanimously

### **New Business:**

#### **A. Thomas Smith Tract Split—11-162; JP District # 11, 16110 Wann Road, Gravette**

##### STAFF COMMENTS:

Applicant has submitted a tract split for consideration. Present property is 16.06 acres setting along Wann Road to the southwest of Sulphur Springs, AR. Applicant proposes to divide the property into two parcels (Tract 1 – 9.93 acres, Tract 2 – 6.13 acres) along a line which is the center of Ross Road. There are four existing chicken houses, a pump house and pole barn on the area to become Tract 1. One chicken house encroaches into the proposed right-of-way setback from Ross Road.

Applicant is showing dedicated right-of-way for both Wann Road and Ross Road of 50'. Therefore, the project is being brought to Planning Board for consideration. Surveyor shows setbacks of 25' front, and 10' sides as there are two corner parcels with no true rear lot line. Surveyor has taken care to identify the property owned by Mr. & Mrs. Smith through interviews, research and survey notes.

NOTE: Current taxes for 2010 are delinquent and must be paid prior to approval by Planning Board.

##### ITEMS TO BE CORRECTED/ REVISED:

1. Title drawing as Thomas Smith Tract Split
2. Show two lines for owner signatures....OR make one line long enough for both to sign.
3. Final documents will be signed by surveyor.
4. Show setback lines on Tract 2.

##### RECOMMENDATIONS:

As of Friday, January 13, Staff has received indication from Mr. Ging that Applicant has paid delinquent taxes. Staff recommends the tract split move on to Public Hearing on February 1. Richard L. McKeehan, PE, Senior Board agreed with Staff recommendation that the applicant to return 2/1/12 for Public Hearing.

#### **A. Robert and Shirley Miller—11-165; JP District 01, 8224 Miller Road, Rogers**

Applicants did not appear.

### PUBLIC HEARING

### **New Business:**

#### **A. Chris's Dog Grooming—Large Scale Development, Project 11-133—JP District 01, 14287 Pleasant Ridge Road, Brandon Dunham, Owner**

STAFF COMMENTS: All requests from Staff and Board have been met by the applicant.

Staff requests ADEQ approval letter before work begins on the site, and prior to building permit issuance.

CONCLUSION AND RECOMMENDATIONS: Staff recommends approval contingent upon obtaining approval for Septic system from ADEQ.

Ken Knight moved to approve the project with the following stipulations:

1. Applicant obtains approval for the septic system from ADEQ.
2. Applicant supply detail of sidewalk and gravel to be used for parking lot.

Jim Cole seconded the motion and it passed unanimously.

**B. Karen Gaither--Replat of lot 9, Ray Brown Subdivision, Project 11-163—JP District 01**

20414 Slate Gap Road, Garfield, AR Replat of Lot 9 Ray Brown Subdivision Case # 11-163, JP District 01

**STAFF COMMENTS:**

- 1) Road construction should be completed.
- 2) Water is to be provided by individual wells. Verification of the source of water for each lot should be provided again to Planning Staff and board.
- 3) The portion of Billy Goat Bluff dedicated and accepted by the County in 1971 Road should be maintained by the County after road is completed and accepted by County Road Dept. and County Judge.
  - a) Billy Goat Bluff shall continue to be noted UP TO THE REPLAT OF LOT 9 AS A "BLUE SIGNED ROAD".
  - b) Per this Replat document, the road along proposed Lots 15 thru 19 shall be a PRIVATE ROAD and be noted as a "WHITE SIGNED ROAD"
- 4) 9-1-1 Administration approval for naming of the road must be obtained.
- 5) Re-approval from ADH must be submitted prior to approval.

**CONCLUSION AND RECOMMENDATIONS:**

1. Staff recommends approval of the five-lot subdividing of Lot 9 into Lots 15 thru 19.
2. Ms. Gaither will complete the road within her property to County Road standards and include the placement of a culvert at the intersection of Slate Gap Road and Billy Goat Bluff Road. Road will be built per the Replat document with a 45' radius finished roadbed in the cul-de-sac.
3. Ms. Gaither will construct the portion of Billy Goat Bluff Road which has not heretofore been constructed to a width of 20' per county standards for a gravel drive.
4. Should the grades for the road in Item 3 above be steeper than 10%, Ms. Gaither shall obtain an access Easement from Jake Van Doren over his paved private drive between Slate Gap Road and its intersection with Billy Goat Bluff Road.
5. Staff recommends a surety bond in the amount of \$3,600 be provided to the county until the road construction is completed per County Standards, and approved by County Road Department. Bond should be released at the time of road approval.

Based on the Applicant dropping the request to re-name Billy Goat Bluff Road; Move to approve the Replat of Lot 9, Ray Brown Subdivision with the following stipulations:

1. Complete all roadwork along Billy Goat Bluff Road.
2. End of road to be private starting at the west frontage line of Lots 15 and 19.
3. Bond to be posted for \$3,600 for road construction within replat, and other portions of Billy Goat Bluff Road which were not constructed.
4. Applicant to obtain access easement in favor of the public from Lot 11, owner Jake Van Doren along paved drive within Lot 11, Ray Brown Subdivision.
5. Submit updated letter of approval from ADH for septic systems.

Because of issues dealing with the roadwork along Billy Goat Bluff Road, Ken Knight moved the project be tabled until Staff could prepare a report listing the options to enable the applicant to proceed. Jim Cole seconded the motion and it passed unanimously.

**B. Big Springs Sporting Clays—Large Scale Development, Project 11-154—JP District 11, 14321 Beaty Rd, Gravette, AR**

STAFF COMMENTS: Planning staff conducted a technical review including items requested by Planning Board during the TAC meeting. We believe the plan will meet all of the technical requirements of a site plan.

1. No impervious surfaces are being created.
2. Frequency of use does not warrant permanent structures for bathrooms, water services, fire controls or similar facilities. No activities will take place after sunset.
3. The amount of time of use for one event coupled with distances to nearby residences make the potential noise levels to be characterized as an infrequent occurrence with understanding of the number of uses per month or per year.
4. Applicant requests one waiver: hard surface material for parking area

**CONCLUSION and RECOMMENDATIONS:**

Staff recommends approval of the waiver request for hard surface parking based on **Comment 3** above. Staff recommends overall approval with the consideration of the following stipulation as part of the decision: "Set the number of times the range shall be used per month. Set the number of special events that shall be done during the year. "

Five Benton County residents offered public comment regarding concerns about safety, noise and environmental impact. The applicant asked that the project be tabled until the February 1, 2012 meeting to give them time to research the issues and prepare a report for the Board.

Ken Knight moved to table until 2/1/12; Cindy Jones seconded the motion and it passed unanimously.

**D. The Cabins at Big Springs—Large Scale Development, Project 11-164—JP District 11;**

Cabin # 8, Chalybeate Drive, Gravette

STAFF COMMENTS: Staff has completed the technical review and met with applicant. Given that other surrounding uses are residential cabins, this development should have a very low impact upon neighboring sites. Its setting is consistent with the intent of the original PUD. Waivers for two items have been submitted for consideration by the Board.

**CONCLUSION AND RECOMMENDATIONS:**

Therefore, staff recommends that the Planning Board consider the following stipulations as part of a decision:

1. Waiver request for setback reduction from 25 feet to 0 feet: Staff recommends granting waiver based on original intent of PUD, and the open and rural setting. A sixty-foot access and utility easement along the private road also lends to the open space.
2. Waiver request for hard surface to overflow parking: Staff recommends granting approval based on infrequency of use for this area. Additionally, rural setting can be further preserved with less obtrusive hard pavement surface.
3. Staff recommends approval of Large Scale Development after making decision on requested waivers.

**SUGGESTED MOTION:**

Move to approve Large Scale Development for The Lodge location on Lot 1, The Cabins at Big Springs (as amended by waivers granted for setback and hard surface of overflow parking) OR (without waivers).

1. Ken Knight moved to approve a waiver of the requirement for a hard surface (asphalt or gravel) for overflow parking. Cindy Jones seconded the motion and it passed unanimously.
2. Ken Knight moved to approve a waiver for the requirement of a 25 foot setback to zero (0) setback. Jim Cole seconded the motion and it passed unanimously.
3. Cindy Jones made a motion to approve the project with the two waivers. Star Leyva seconded the motion and it passed unanimously.

**Adjournment—8:35 p.m.**